

THE HONORABLE JOHN H. CHUN
Trial Date: May 31, 2023

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

KIM SNELL,

Plaintiff,

v.

THE STATE OF WASHINGTON;
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, JUDITH A.
FITZGERALD and UNA I. WILEY,

Defendants.

NO. C20-6028-JHC

JOINT NEUTRAL STATEMENT OF
THE CASE

Plaintiff and Defendants, by and through counsel, submit the following Joint Neutral Statement of the Case for the Court's consideration and instruction of the jury.

DATED this 23rd day of May, 2023.

KRAM & WOOSTER, P.S.

ROBERT W. FERGUSON
Attorney General

s/ Richard H. Wooster

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NEUTRAL STATEMENT OF THE CASE

This lawsuit involves allegations of whistleblower retaliation in violation of the Washington State Employee Whistleblower Protection Act and the Washington Law Against Discrimination.

Plaintiff Kim Snell worked for Defendant Washington Department of Social and Health Services (DSHS) from 2013 until November 2021. Ms. Snell alleges that, during her employment with DSHS, she made reports under both laws that qualified her as a whistleblower. She further alleges that DSHS and individual Defendants Judy Fitzgerald and Una Wiley retaliated against her in violation of those laws. Ms. Snell claims the Defendants actions caused her injuries and economic and non-economic damages.

The Defendants deny Ms. Snell's claims and contend that the employment actions they took regarding Ms. Snell were unrelated to her alleged whistleblower conduct, were supported by legitimate, non-retaliatory reasons, and that an improper motive was not a substantial factor in their decisions. The Defendants deny the nature and extent of Ms. Snell's claimed damages, and they allege that Ms. Snell failed to mitigate her damages.

Ms. Snell denies the Defendants' defenses.

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Plaintiff's Attorney:

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DATED this 23rd day of May, 2023.

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